

REMARKS

Claims 1-7, 9-11, 16-17 and 19-26 are pending in this application, of which claims 17-26 have been amended. Claims 1 and 10 have been canceled. No new claims have been added.

The Examiner has rejected the claims as follows:

1. Claims 1 and 7 under 35 USC §103(a) as unpatentable over Mrklas et al. in view of Ulrich (both previously applied) and further in view of U.S. Patent 4,437,471 to Nelson (hereinafter "Nelson");
2. Claims 1 and 7-9 under 35 USC §103(a) as unpatentable over Inbe et al. in view of Ulrich and further in view of Nelson (previously applied); and
3. Claims 10-11 and 16-18 under 35 USC §103(a) as unpatentable over Inbe et al. in view of Nelson.

Applicants respectfully traverse this rejection.

The Examiner has urged that Mrklas et al. discloses SRS computer 23 which is programmed to increasingly induce deeper states of relaxation as the session progresses (col. 21, lines 12-14) and near the end of the session may again initiate the massage mechanism to awaken the subject from his relaxed state and into normal wakefulness, and the SRS Computer 23 may be programmed to follow other massage sequences during a session depending on the objectives of the session (col. 6, lines 58-68).

As noted in Applicants' last response, none of Mrklas, Ulrich or Inbe et al. specifically discloses the "activity of the autonomic nervous system", although column 14, lines 14-21 of Mrklas disclose that stress may be detected using sensors which detect heartbeat, breathing (respiration), galvanic skin resistance and brain wave activity. None of these references specifically mentions or teaches that stress may be related to skin temperature, where a rise in the skin temperature indicates a relaxed state, and a drop in skin temperature indicates a tense state.

Nelson has been cited for teaching that it is well known in the art to use various sensors such as heart rate, respiration and especially skin temperature to determine whether an individual is relaxed or under stress and that the higher the individual's temperature, the more relaxed that person is and conversely a low skin temperature would indicate that person is tense and under stress (col. 1, lines 10-45).

The Examiner has also urged that, regarding claim 8, Inbe et al. teaches a control circuit which gives different kinds of massages to a plurality of parts of the person (col. 8, lines 25-30) and adjusts the massage movement (by varying different massage speeds/intensity and time durations) for each kind of the massage to be given to each part in accordance to the result of estimation of the psychological state (col. 4, lines 28-60).

Applicants respectfully disagree. None of the cited passages of Inbe et al. discloses that different parts of the person are to receive different kinds of massages to estimate the psychological state for each kind of passage given to each part, and that adjustment of massage movement is carried out for each kind of passage to be given to each part in accordance with the result of estimation of the psychological state, as recited in claims 8 and 18 of the instant application.

Column 4, lines 28-60 disclose only a time-schedule of the massage action, and fails to disclose that “the psychological state is estimated for each kind of massage given to each part, and adjustment of massage movement is carried out for each kind of massage to be given to each part in accordance with the result of estimation of the psychological state”.

Accordingly, claims 8 and 18 have been canceled and their limitations added to claims 1 and 10, respectively.

In view of the aforementioned amendments and accompanying remarks, claims 1-7, 9-11, 16-17 and 19-26, as amended, are in condition for allowance, which action, at an early date, is requested.


If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants’ undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. 09/995,801
Response to Office Action dated November 15, 2004

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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Enclosures: Petition for Extension of Time

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